



PRINCIPLES AND POLICIES FOR A
New American
Immigration
System



The American immigration system has long been dysfunctional. Legal immigration has been too complicated, too slow, and too expensive. Many foreigners knew they would not qualify for admission under our immigration requirements. As a result, millions crossed the border illegally, stayed past the expiration date of their temporary visas, filed fraudulent immigration benefit applications, and remained in the U.S. for years without consequence. Other promising immigrants went to Canada or elsewhere to avoid the U.S. immigration hassle.

The Biden-Harris Administration then fundamentally transformed the American immigration system, intentionally erasing the line between legal and illegal immigration. Our immigration “system” is unrecognizable because we no longer operate by the rule of law. The administration’s seismic shifts include changing legal terms; twisting and warping statutory requirements; waiving, ignoring, or refusing to enforce laws; and unconstitutionally creating immigration benefits not authorized by Congress.

What remains cannot and should not be merely “reformed.” America now faces an opportunity to design an entirely new American immigration system. To achieve a lawful, orderly, and manageable system that benefits America first, legal immigrants second, and illegal aliens not at all, the new system should be simpler, faster, and include full and consistent enforcement.

A new American immigration system should adhere to the following principles and policies.

As a sovereign nation, our government must uphold the Constitution and rule of law.

- 1 The U.S. Congress, not the administrative state, should approve who may be lawfully admitted into the U.S. and set the terms of their stay here.
- 2 Complying with the plain language of the authorizing statute eliminates fraud and abuse.
- 3 Temporary *means* temporary.
POLICY RECOMMENDATION: *The executive branch should return temporary and permanent visa eligibility to congressional intent.*
- 4 Congress, not the administrative state, should determine whether temporary aliens may work in the U.S.
- 5 Aliens who violate the terms of their visa should have their visa revoked.
POLICY RECOMMENDATION: *Visas issued to students and other aliens who violate local, state, or federal laws or engage in actions that show support for designated terrorist groups should be cancelled immediately, and such individuals should be deported promptly.*



- 6** Transparent immigration status information is vital among federal and state agencies.
- POLICY RECOMMENDATION:** *The Social Security Administration, Internal Revenue Service, and Department of Homeland Security should share data on the immigration status of individuals as part of their full enforcement of federal law, including against employers who knew or should have known that they hired or employ aliens without work authorization.*
 - POLICY RECOMMENDATION:** *Federal agencies should also share those data with state and local officials free of charge.*
- 7** Prosecutorial discretion in the immigration removal context should be very rarely used.
- POLICY RECOMMENDATION:** *Congress should make clear that prosecutorial discretion is the very rare exception, not the norm, when enforcing immigration law.*
- 8** Deportation is a critical component of the enforcement needed to maintain a lawful and orderly immigration system.
- POLICY RECOMMENDATION:** *Orders of removal should be executed in a timely manner.*
- 9** U.S. citizenship is the most important immigration benefit the U.S. provides.
- POLICY RECOMMENDATION:** *U.S. citizenship brings exclusive rights and responsibilities. It should not be cheapened or defrauded by allowing non-citizens to be treated as if they were U.S. citizens.*
- 10** To be given U.S. citizenship, the U.S. Government should require that a child have at least one U.S. citizen parent.
- POLICY RECOMMENDATION:** *The U.S. Government should end its universal “birthright citizenship” policy. It is not required by the U.S. Constitution and is not recognized by the vast majority of other nations.*

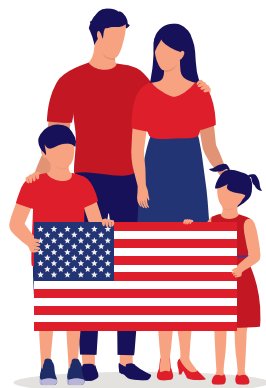
- 11** Proof of U.S. citizenship should be required to register and to vote in federal, state, and local elections.
- POLICY RECOMMENDATION:** *The Department of Homeland Security should cooperate with state and local elections officials to verify the citizenship status of all registrants and voters.*
- 12** Since only U.S. citizens can legally vote, only the U.S. citizen population should be counted to determine congressional districts and presidential electoral votes.
- POLICY RECOMMENDATION:** *Only U.S. citizens should be used in the apportionment formula after every U.S. Census to determine all congressional, state, and local political redistricting and in turn, the number of presidential electoral votes given to each state.*
 - POLICY RECOMMENDATION:** *To accomplish this, a citizenship question should be reinstated on the decennial U.S. Census.*

Our immigration system exists to serve the American people.

- 13** Immigration adjudicators and officials work for the American people, not for aliens or advocacy groups.
- 14** Most immigrant (permanent) visas should be for employment purposes, merit-based, and not used to diminish the wages or employment opportunities of U.S. citizens.
- 15** Family-based immigration (permanent) categories should be limited to the immediate nuclear family, thereby ending chain migration.



- 16** The U.S. should not grant lawful permanent residence based on a lottery system.
- 17** Applicants, not U.S. taxpayers, should pay for adjudication of their applications and case backlog reduction.
- 18** Just as they may legally favor hiring veterans over other applicants, employers should be legally allowed to favor hiring U.S. citizens over aliens with work authorization documents.
- 19** Aside from government persecution, victimization and other types of personal or economic problems should not be the basis for an immigration benefit.
- 20** Assimilating immigrants into American political and civil society, language, history, and culture is critical for America to remain a united country.



Our country must be secure to keep Americans safe.

- 21** Our borders and interior must be secure, and public safety must be a top priority.
- 22** Both border security and interior enforcement should be fully resourced for thorough enforcement.
- 23** Border agents should have expulsion authority during national crises.
 - POLICY RECOMMENDATION:** *Congress should provide border agents with authority to expel illegal aliens across the border immediately including (but not limited to) when a border or national crisis, not just a health crisis, occurs.*

- 24** Immigration detention is necessary to protect public safety, prevent flight, and ensure removal if so ordered by an immigration judge.



America's immigration system should be simple and sustainable.

- 25** As a sovereign nation, the U.S. must have a lawful, orderly, and manageable immigration system—each year.
- 26** Immigration law should be simple, and compliance with the law should be easy.
 - POLICY RECOMMENDATION:** *The Immigration and Nationality Act is needlessly complicated, causing many aliens to hire immigration attorneys and spend significant money to navigate it, and should be significantly simplified.*
 - POLICY RECOMMENDATION:** *The excessive number of waivers and exemptions in immigration law, policy, and operations creates needless confusion, legal work, and costs, and should be eliminated.*
- 27** To be effective and efficient, our federal immigration system should be integrated in the federal government and collaborative with the states.
 - POLICY RECOMMENDATION:** *Our fragmented immigration system across many departments in the federal government causes needless confusion and delay. It should be consolidated and should actively involve the assistance of state and local governments and law enforcement.*

28 Immigration data and costs should be completely transparent to the American public.

POLICY RECOMMENDATION: *Data on immigration status should be collected by relevant federal, state, and local agencies; shared among relevant agencies, including election officials; and reported to the American public.*

29 Having an orderly and manageable immigration system each year means pausing intake to address large application backlogs.

POLICY RECOMMENDATION: *When unreasonably large application backlogs occur, immigration officials should stop accepting additional immigration benefit applications, including employment authorization documents, until a well-managed level of pending applications is reached.*

We must eliminate incentives for foreign nationals and American organizations to break our laws.

30 Illegal immigration should be prevented, not processed and paid for.

POLICY RECOMMENDATION: *Congress and the executive branch should prevent illegal immigration, not process it into the U.S. and then pay for it on the back end, imposing avoidable costs on American taxpayers at the federal, state, and local levels.*

31 Our immigration system should not exploit children, encourage illegal immigration, or facilitate smuggling or trafficking.



32 Federal, state, and local governments should not obstruct immigration enforcement, or collude with or fund NGOs or the private sector to further illegal immigration, including human smuggling or trafficking, or harboring.

33 Legal immigration applicants should not be adversely affected by illegal immigration or fraud.

POLICY RECOMMENDATION: *Applications submitted by inadmissible aliens, including fraudulent applications, delay the adjudication of lawful applications and increase costs for lawful applicants.*



34 Persons fleeing a country to save their lives must seek protection in the first safe country in which they arrive, not shop for a country of preference.

35 Integrity must be restored to persecution protection.

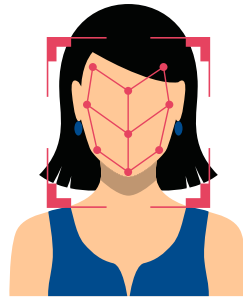
POLICY RECOMMENDATION: *Congress should clarify that persecution refers to “government” persecution and eliminate the undefined and misused catch-all ground of “membership in a particular social group.”*

POLICY RECOMMENDATION: *Having both asylum and refugee statutory provisions in the Immigration and Nationality Act (INA) is needlessly confusing when applicants must prove the same eligibility elements. The law should be simplified to one benefit type with an annual cap for thorough vetting and manageable resettlement, including required advance notice to resettlement jurisdictions and American assimilation.*

36 Work authorization should be granted only once an applicant’s underlying immigration benefit is granted, not when the benefit application is merely filed or pending.

37 E-Verify should be implemented and enforced to the maximum extent.

- POLICY RECOMMENDATION:** *Employers and federal, state, and local government officials should use E-Verify.*
- POLICY RECOMMENDATION:** *Enforcement of employment verification is critical, including re-verifying aliens with temporary employment authorization.*



38 Foreign countries should only benefit from U.S. remittances if they cooperate with the U.S. and their nationals obey our laws.

- POLICY RECOMMENDATION:** *The U.S. should not permit aliens to send abroad any remittances gained by unauthorized employment.*
- POLICY RECOMMENDATION:** *No remittances should be sent to recalcitrant countries that refuse to accept the return of their nationals who have removal orders.*

39 Immigration judges need authorities to quickly dispense of meritless cases.

- POLICY RECOMMENDATION:** *Congress should provide immigration judges with summary dismissal and default judgment authority to quickly remove legally baseless claims, which would effectively diminish the case backlog and dissuade aliens and their attorneys from filing meritless claims.*

40 Immigration due process should be limited.

- POLICY RECOMMENDATION:** *Congress should limit administrative procedures for aliens, including removal proceedings, to end excessive motions and the abuse of administrative appeals that are used to prolong aliens' presence in the U.S. illegitimately.*
- POLICY RECOMMENDATION:** *Aliens should be prohibited by law from filing any appeal of a final order of removal in any federal court.*

41 Remaining longer in the U.S. unlawfully should not be grounds for an immigration benefit.

- POLICY RECOMMENDATION:** *Inadmissible aliens should not receive immigration benefits based on their ability to avoid deportation or gain U.S. ties while remaining longer in the U.S.*

42 Inadmissible aliens should be excluded from federal, state, local, and commercial benefits which facilitate unlawful residence.

- POLICY RECOMMENDATION:** *Inadmissible aliens should not be eligible for any federal, state, or local government benefits, including through their children, because the receipt of such benefits facilitates longer unlawful residence in the U.S. and takes resources away from American citizens and lawful immigrants.*
- POLICY RECOMMENDATION:** *Inadmissible aliens should be excluded from commercial benefits, such as bank accounts, which facilitate their unlawful residence.*

43 Amnesty—even the prospect of it—encourages more illegal immigration.

- POLICY RECOMMENDATION:** *Congress should oppose all forms of amnesty and should not reward illegal behavior or violation of our immigration laws.*

Building
an America
where freedom,
opportunity,
prosperity,
and civil society
flourish.



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